

CAMPAIGN SPENDING COMMISSION

STATE OF HAWAII

In Re the Matter of	)	CA 04-08
	)	
FAY F. GALASE,	)	
	)	
Respondent.	)	
_____	)	

CONCILIATION AGREEMENT

On or around June 2002, Robert Y. Watada, Executive Director for the Campaign Spending Commission ("Commission"), initiated an investigation of Respondent Fay F. Galase ("Galase"). Nalo Farms employ Galase as a secretary. Business Registration Division records list Nalo Farms business purpose as farming, whose business address is 41-574 Makakalo Street, Waimanalo, Hawaii. The investigation was initiated pursuant to the express authority of section 11-193, Hawaii Revised Statutes ("HRS"), for a determination of whether the campaign spending law had been violated and a complaint would be submitted to the Commission.

NOW, THEREFORE, Galase and the Commission, having entered into conciliation and pursuant to section 11-216(g), HRS, do hereby agree as follows:

- I. That the Commission has jurisdiction over Respondent and the subject matter of this administrative action.
- II. That this Conciliation Agreement ("Agreement") and upon complete performance of the conditions stated herein has the effect of remedial or corrective action taken by Respondent pursuant to section 11-216(g), HRS.

- III. That Respondent had a reasonable opportunity to demonstrate that no action should be taken in this matter.
- IV. That Respondent waives the right to be heard at a public hearing conducted under chapter 91, HRS, pursuant to section 11-228(b), HRS.
- V. That Respondent enters into this Agreement with the Commission on her own volition and with full knowledge and understanding.
- VI. That parties agree to the pertinent facts as follows:
1. On or around June 2002, Robert Y. Watada, in his capacity as Executive Director of the Campaign Spending Commission, and upon information received through the disclosure statements of the Mufi Hannemann campaign committee ("Hannemann"), initiated an investigation involving excess contributions in violation of particular campaign finance statutes.
  2. Section 11-204(a)(1)(C), HRS reads in part as follows: No person other than a candidate for the candidate's own campaign, or any other entity shall make contributions to: A candidate seeking nomination or election to a four-year nonstatewide office or to the candidate's committee in an aggregate amount greater than \$4,000 during an election period.
  3. Fay F. Galase and her husband Milton made contributions to the Hannemann campaign committee in the amount of \$12,000 for the election as follows:

Fay Galase	June 2000	\$1,000
Fay Galase	June 2000	\$2,000

Fay Galase	Sept 2000	\$1,000
Fay Galase	Sept 2000	\$1,000
Milton Galase	Sept 2000	\$3,000
Fay Kahihara-Chang	Sept 2000	\$4,000

4. The Hannemann committee subsequently returned the \$4,000 contribution by Fay Kagihara-Chang, maiden name of Fay Galase.
5. The Commission finds that Fay Galase made an excess contribution of \$1,000 to the Hannemann campaign committee.

#### VII. Settlement Terms

As final settlement of the matter and issues in Conciliation Agreement #04-08 Galase understands and agrees to the following:

- (A) Galase agrees to an assessment of **One Thousand Dollars (\$1,000)** pursuant to section 11-228, HRS.
  - (1) For violation of section 11-204(a)(1)(C), HRS, making an excess campaign contribution to the Hannemann campaign committee.
- (B) Galase agrees to comply with campaign finance statutes on campaign contributions to candidate committees.
- (C) Terms of payment of the assessment shall be by Order of the Commission.

- VIII. The Commission upon its own motion or a written request of anyone filing a complaint under section 11-216, HRS, may review compliance with the Agreement. If the Commission believes that the Agreement has been violated, it may institute administrative proceedings or a civil action in the Circuit Court of the First Circuit pursuant to section 11-228(c), HRS.

- IX. This Agreement shall become effective as of the date that all parties have signed and the Commission has approved the entire Agreement.
- X. This Agreement constitutes the entire agreement between the Commission and Galase on the matters raised herein, and no other statement, promise, or agreement, either in writing or oral, not contained in this Agreement made by either party or by agents of either party shall be enforceable.
- XI. This Agreement, unless violated, shall be a complete bar to any further action by the Commission with respect to the violations at issue in this matter.

**FOR THE COMMISSION:**

Robert Y. Watada, Executive Director  
Campaign Spending Commission

By: \_\_\_\_\_

Date: \_\_\_\_\_

**FOR THE RESPONDENTS:**

Fay F. Galase

By: \_\_\_\_\_

Date: \_\_\_\_\_

(Name)

